

MEMORANDUM

TO: GOVERNMENT OPERATIONS COMMISSION

FROM: NC BOARD OF OCCUPATIONAL THERAPY

RE: 21 NCAC 38 .0802

DATE: NOVEMBER 6, 2013

The NC Board of Occupational Therapy is submitting a permanent rule amendment for Rule .0802 Continuing Competence Requirements for Licensure. The Board proposes to charge a \$50 late fee for licensees who fail to obtain their CCA within the specified time period. The current amount for the fee is \$0. The amount of the proposed fee is \$50.

The Practice Act in 90-270.77 provides for charging fees. The Practice Act also states in 90-270.69(8) that the Board has the power to “Establish reasonable fees for applications, initial and renewal licenses; and other services provided by the Board”. So, the Board has the power to charge a fee for licensees who fail to obtain their CCA within the appropriate time period, which requires more time and effort to review renewal requirements.

Rule .0204 also provides for charging fees. This rule does not specifically permit the Board to charge a \$50 late fee for licensees who fail to obtain their CCA within the appropriate time period and therefore the Board is seeking to amend the Rule to allow for this charge. When a licensee fails to complete their continuing education within the specified time period it affects their ability to renew their license in a timely manner and requires that the Board enter into additional administrative actions to correct the problems created. The Board believes the late fee requested will encourage licensees to complete their continuing education requirements on time and thereby also permit them to renew their licenses in a timely manner thereby saving substantial administrative duties by the Board.